

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Criminal No. 05-1849 JH

MIKE HANNAH

Defendant.

**UNOPPOSED MOTION TO MODIFY CONDITIONS OF RELEASE**

\_\_\_\_\_ COMES NOW the Defendant Mike Hannah, by and through counsel of record Brian A. Pori, and with the concurrence of Assistant United States Attorney James Braun, and respectfully requests that this Honorable Court issue an Order modifying the terms of his release, allowing him to travel from Arizona to New Mexico for business purposes, provided he obtains prior approval from the Pre-Trial Services Division of the United States Probation Office. In support of this motion, counsel for the defendant states:

1. Defendant Mike Hannah is currently on supervised release. Under the terms of the Order Setting Conditions of Release entered on September 2, 2005, Mr. Hannah is permitted to travel from his home in Arizona to New Mexico only for court appearances or meetings with his attorney.

2. Mr. Hannah's business periodically requires that he personally travel to job sites located within the state of New Mexico, as a result of which Mr. Hannah's presence is required in Elephant Butte, New Mexico on the weekend of July 27-29, 2007. Although he has contacted the offices of the Pre-Trial Services Division of the United States Probation Office in both

Arizona and New Mexico and they have approved his travel, under the current terms of his release there is no provision for Mr. Hannah to undertake such travel even with the permission of Pre-Trial Services.

3. Counsel for Mr. Hannah has contacted Officer Nick Romero of the Pre-Trial Services Division of the United States Probation Office and Assistant United States Attorney James Braun, and both concur with this motion.

WHEREFOR, for the foregoing reasons Defendant Mike Hannah respectfully requests that this Honorable Court issue an Order modifying the terms of his release and allowing him to travel from Arizona to New Mexico for business purposes, provided he obtains prior approval from the Pre-Trial Services Division of the United States Probation Office.

Respectfully Submitted:

By: /s/Brian Pori (electronically filed 7/27/07)

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Attorney for Defendant Mike Hannah

**CERTIFICATE OF SERVICE**

I hereby certify that on this 27th day of July, 2007, I served a true and correct copy of the foregoing Notice of Counsel's Unavailability on Counsel for the Plaintiff via CM/ECF:

James R.W. Braun, Esq.  
Assistant United States Attorney  
United States Attorney's Office  
PO Box 607  
Albuquerque, NM 87103

/s/Brian Pori (electronically filed 7/27/07)  
BRIAN A. PORI